

Remarks/Arguments

The Office Action Summary of the present application states that the Action is final, and that claims 14 through 16, 19 through 23, 25 through 29, and 41 are pending. Of these claims, claims 21 through 23 and 27 through 29 are withdrawn. Claims 16, 25 and 26 are allowed over the prior art of record. Claims 14, 15, 19, 20 and 41 are finally rejected. Claims 41 and 15 are only rejected under 35 USC 112, 1st and 2nd paragraphs. Claims 1 through 14, 17 through 24, and 30 through 40 are cancelled.

The drawings filed by Applicants and received by the USPTO on September 28, 2009 have been found acceptable.

In paragraph 3 of the Office Action, claims 41 and 15 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that the original disclosure does not provide support for slits arranged in a pattern of a “sunburst” and it is not clear as to what this pattern refers. Applicants traverse this non-prior art ground of rejection.

Claim 41 originally recited slits arranged in a “sunburst” pattern. However, the original specification disclosed slits arranged in a “starburst” pattern, the recited patterns otherwise recited and the specification otherwise supported the same “pattern” of slits.

Claim 41 has been amended to overcome the 35 U.S.C. 112, first paragraph, ground of rejection by deleting “sunburst” from the claim, such

that the claim now recites slits arranged in “a pattern”. The specification supports a specific “pattern” of slits and underlying depressions, as recited in amended claim 41 and as disclosed in the rest of the original specification. For example, see Figures 1 through 2A, and page 6, line 12 through line 16, and especially starting at line 26 and line 34, through page 7, line 14. Thus, current amended claim 41 recites a “pattern” that is fully supported and is clear as to what it refers.

In view of the above, contrary to the Office Action, claim(s) 41 and 15 contain subject matter that was described in the specification in such a way, that is, with such detail and specificity, as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Also contrary to the Action, the original disclosure provides clear, specific and ample support for the slits being arranged in a “pattern” and it is clear and specific as to what pattern this refers. Claim 41 has been amended to delete a preferred “sunburst” pattern such that the claim now recites “a pattern”. Thus the specification supports a specific pattern of slits and underlying depressions, as recited in claim 41.

Claim 15 has been amended to depend from allowed independent claim 16, instead of as previously, from rejected claim 14. Claim 15 recites that the method of claim 41 further comprises forming each of said plurality of depressions as hemispherical in shape. (Support for this recitation resides at page 6, middle paragraph, of the original specification). Claim 15 meets the Section 112, 1st paragraph, ground of rejection.

Claims 41 and 15 are rejected under 35 U.S. C. 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants traverse this ground of rejection. More particularly, first, the Office Action states that line 4 of claim 41 is vague and indefinite as to what pattern it refers.

Applicants have met the Section 112, 2nd paragraph rejection by having deleted “sunburst” from claim 41, and having left “pattern” in the claim, since “pattern” refers to and is clearly disclosed in and defined by the specification. (For support, see the above listed portions of the specification).

Second, the Office Action states that in lines 6-7 of claim 41, the recitation of “three or four” equally spaced individual slits and underlying depressions is vague and indefinite as to whether the recitation of “slits” refers to those previously recited or to other slits, wherein the other slits have the recited depressions. Applicants have met this Section 112, 2nd paragraph rejection by having deleted “three or” from the words “three or four” in claim 41, and by having amended claim 41 recite that the pattern has “a central area from which radiates outwardly” a series of 12 radial extensions “each of said radial extensions having four of said equally radially spaced of said plurality of individual slits and each of said equally radially spaced individual slits having an underlying one of said plurality of depressions. (For support, see the last two lines of page 6 through line 14 of page 7 of the original application). Thus, Applicants have clarified that the recitation of slits refers to those previously recited slits and that each previously recited slit in the pattern has an underlying one of said plurality

of depressions. Claim 15 depends from and is allowable with independent claim 16.

With respect to Paragraph 9 of the Office Action, Applicants have cancelled claims 14, 19 and 20. Claims 17 – 24 and 30 – 40 are also cancelled.

The Office Action states that independent method claim 16 and claims 25 and 26 are allowable over the prior art of record.

Applicants request rejoinder of withdrawn method claims 27, 28 and 29 since they also depend from and are allowable with independent claim 16.

In view of the above amendments and remarks, Applicants' independent claim 16 is allowable and claims 15, 25 through 29 and 41 which depend from claim 16 are allowable with claim 16 and an action that effect is earnestly solicited.

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Date

Respectfully submitted,


Charles N.J. Ruggiero, Esq.
Attorney for Applicants
Registration No. 28,468
Ohlandt, Greeley, Ruggiero & Perle. L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel.: (203) 327-4500
Fax: (203) 327-6401